

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THOMAS W. CURTIS,

Case No.: 2:20-cv-02090-APG-DJA

**Plaintiff**

## **Order Accepting Report and Recommendation**

V.

[ECF No. 5]

HOME DEPOT,

## Defendant

8 On December 17, 2020, Magistrate Judge Albregts recommended that I dismiss plaintiff  
9 Thomas Curtis's complaint with prejudice because the complaint is frivolous. ECF No. 5. He  
10 also recommends that I deny Curtis's application to proceed in forma pauperis. *Id.* Curtis did not  
11 object. Thus, I am not obligated to conduct a de novo review of the report and recommendation.  
12 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those  
13 portions of the report or specified proposed findings to which objection is made"); *United States*  
14 *v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review  
15 the magistrate judge's findings and recommendations de novo *if objection is made*, but not  
16 otherwise" (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation  
18 (ECF No. 5) is accepted, plaintiff Thomas Curtis's complaint (ECF No. 1-1) is DISMISSED, and  
19 his application to proceed in forma pauperis (ECF No. 4) is DENIED. The clerk of court is  
20 instructed to close this case.

DATED this 8th day of January, 2021.



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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE